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10 Attorney for:
11 DUSTIN MCCASKILL
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13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 UNITED STATES OF AMERICA,

16 Plaintiff,
17 vs.

18 DUSTIN MCCASKILL ,
19 Defendant.

20 Case No.: 2:15-cr-00030-GMN-CWH

21 STIPULATION TO EXTEND
MOTION DEADLINES
(Third Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
23 States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United
24 States of America, and Rene L. Valladares, Federal Public Defender, and BREND A WEKSLER,
25 Assistant Federal Public Defender, counsel for DUSTIN MCCASKILL, that that the parties herein
26 shall have to and including April 24, 2015, by the hour of 4:00 p.m., within which to file any and all
27 pretrial motions and notices of defense.

28 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall
have to and including May 8, 2015, by the hour of 4:00 p.m., within which to file any and all
responsive pleadings.

29 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall
have to and including May 15, 2015, by the hour of 4:00 p.m., within which to file any and all replies
30 to dispositive motions.

31 This Stipulation is entered into for the following reasons:

1 1. The client is in custody and does not oppose the continuance.

2 2. Since the filing of the previous stipulation, undersigned defense counsel has
3 continued diligently in trial preparations, however additional time is needed to complete the process.

4 3. The additional time requested herein is not sought for purposes of delay, but merely
5 to allow counsel for the defendant sufficient time to complete necessary research, prepare and submit
6 appropriate pretrial motions.

7 4. Denial of this request for continuance would deny counsel for the defendant sufficient
8 time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking
9 into account the exercise of due diligence.

10 5. Additionally, denial of this request for continuance could result in a miscarriage of
11 justice. The additional time requested by this Stipulation is excludable in computing the time within
12 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
13 Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors
14 under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

15 6. This is the Third stipulation to continue filed herein.

16 DATED: April 17, 2015

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18 RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

20 By: /s/ Brenda Weksler
21 BRENDAL WEKSLER,
Assistant Federal Public Defender

By: /s/ Phillip N. Smith, Jr.
PHILLIP N. SMITH, JR.,
Assistant United States Attorney

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

DUSTIN MCCASKILL,

Defendant.

Case No.: 15-cr-00030-GMN-CWH

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 12 1. The client is in custody and does not oppose the continuance.

13 2. Since the filing of the previous stipulation, undersigned defense counsel has

14 continued diligently in trial preparations, however additional time is needed to complete the process.

15 3. The additional time requested herein is not sought for purposes of delay, but merely

16 to allow counsel for the defendant sufficient time to complete necessary research, prepare and submit

17 appropriate pretrial motions.

18 4. Denial of this request for continuance would deny counsel for the defendant sufficient

19 time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking

20 into account the exercise of due diligence.

21 5. Additionally, denial of this request for continuance could result in a miscarriage of

22 justice. The additional time requested by this Stipulation is excludable in computing the time within

23 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States

24 Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors

25 under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

26 6. This is the Third stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would

of the motion and trial dates.

of the return and trial dates.

1 **CONCLUSIONS OF LAW**

2 The ends of justice served by granting said continuance outweigh the best interest
3 of the public and the defendant in a speedy trial, since the failure to grant said continuance would
4 be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
5 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
6 account the exercise of due diligence.

7 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
8 States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A),
9 when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and
10 3161(h)(7)(B)(iv).

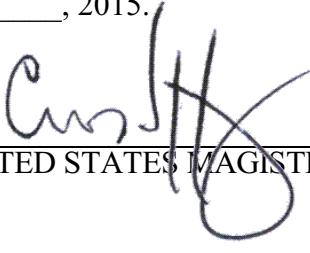
11 **ORDER**

12 IT IS THEREFORE ORDERED, that the parties herein shall have to and
13 including April 24, 2015, by the hour of 4:00 p.m., within which to file any and all pretrial motions
14 and notices of defense.

15 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
16 including May 8, 2015, by the hour of 4:00 p.m., within which to file any and all responsive
17 pleadings.

18 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
19 including May 15, 2015, by the hour of 4:00 p.m., within which to file any and all replies to
20 dispositive motions.

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22 DATED 22nd day of April, 2015.
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26 UNITED STATES MAGISTRATE JUDGE
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